

FAIL TO APPEAR

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Abstract

Fail to Appear is a feature length drama about Isolde, a new case manager in a low income neighborhood of Toronto, and her client Eric, a man with a history of mental illness who runs into trouble with the law. This film combines fictional and documentary elements to create an observational film touching on themes of social justice, and alienation. It is also a study of two characters through the prism of the systems and institutions they have to navigate as worker and client respectively.

I began this project with the intention of portraying the ongoing meetings of a case manager and her client, and to explore the attachment that can take place between these two individuals. As I began to research and write this film, I became interested in depicting such a relationship not only through the characters' interactions with one another, but through their separate experiences. In portraying the work of a caseworker on one hand, and the daily life of the client on the other, I wanted to explore how the context that surrounds this relationship reveals these characters, and what is misunderstood or lost during their exchanges.

This support paper addresses the relationship between institutional critique and narrative cinema, and the possibilities one can offer the other. In the first part of this paper, I provide some context on the topics addressed in the film, namely case management, the mental health legal system, and the representation of people with mental illness. In the second part of this paper, I return to these subjects while discussing the making of *Fail to Appear*.

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Introduction

I became interested in the relationship between case managers and their clients after spending several years in the Vancouver Downtown Eastside. I would often see these pairs talking in cafes or walking together in the street, and I did not understand at first the nature of these relationships. There was an act of confiding, or discussing very important matters in the way they were talking and moving; at the same time, I could sense something controlled in their ways of exchange. I became more curious about these relationships, and particularly the distance that can exist between these people, how it can seem insurmountable because their roles are defined in response to each other, as if opposites: a *case manager* and a *client*. I also felt this could offer a window into our own relationship with people in different circumstances, and our difficulty to relate to them.

As commonplace as this may sound, our difficulty to relate to people that are different from us stems in a large part from the distance that we, as a society, put between one another, by way of naming, labeling and categorizing. I often underestimate how even the act of defining or qualifying certain people can instill a subtle distance and keep me from being able to better relate to others. As a cinephile, certain movies have helped me notice this tendency. For instance, in his film *La Vie Moderne* (2008), Raymond Depardon—who's work I discuss further below—shows the simple life of farmers in contemporary Southern France. The appearances, lifestyle and manner of speaking of his subjects are very different from mine, and as the film starts, I have an assumption that what separates me from them must go even beyond these surface elements, that there is something *essential* that makes us different. As the film unfolds, Depardon's camera stays on these

people and I am brought in close to their world and their social and psychic spaces; eventually, through the intimacy that the film creates, a certain understanding (and empathy) builds up. This proximity does not reveal some specific commonalities between the subjects and myself; rather, it simply *reminds me* that a fundamental human element connects me to them. The power of cinema to create this understanding has helped me notice and even ‘correct’ certain unconscious assumptions that create a distance in how I comprehend people who’s behaviour or appearance deviate from the norm.

In *Fail to Appear*, I was interested in observing a caseworker trying to connect with one of her clients and achieve a such a proximity. I wanted to see how getting closer to this man can be a difficult process in itself, perhaps in part because of the labels or categorizations that she has previously read or heard about him. I was interested in exploring the weight of systems and institutions in this relationship because they are both responsible from bringing these people together and perhaps for making their connection difficult.

Preparing and making *Fail to Appear* involved questioning the relationship between institutional critique and narrative cinema. What can narrative cinema expose about institutions and systems? And conversely, what can the depiction of such systems reveal about the cinematic medium? The topic of mental illness in *Fail to Appear* also raises some ethical questions. There is a temptation in media to objectify people in disadvantaged situations for the sake of entertaining a privileged audience. Although not all films depicting marginalized groups adopt these approaches, I questioned how I could

make a fiction film dealing with mental illness without falling into voyeurism? More generally, how can we represent mental illness without contributing to either stigmatization or victimization?

My intention in this paper is not to provide definitive answers to either of these questions, but merely to trace some of the thoughts and observations that I have reached while making this film. In the first part of this paper, I provide some context on the topics addressed in the film, namely the social and legal system, as well as the representation of people with mental illness in film. In the second part of this paper, I address these subjects while discussing the making of *Fail to Appear*.

Background on Topic(s)

Case Management

The profession of case manager was introduced in response to missing links in the health care system. Di Gursansky et al. write that the need for case management “developed out of dysfunctional delivery services that were operating in the interests of providers rather than service users. The need to support clients in the community highlighted the complexity of the service mix, barriers to access and lack of continuity care.”¹ Furthermore, James Intagliata notes that as it relates to mental health, the case management model developed in the USA was a response to the closure of large psychiatric hospitals (known as deinstitutionalization) and initially for provision of services which enhances the quality of life without the need for direct patient care or contact.² The case manager’s role is primarily to fill the gap that can exist between clients and the support services they need. Because of different circumstances such as mental illness, physical handicap, addiction, older age (etc.), individuals entitled to receive support are often unaware of—or have difficulty accessing—the various services they are entitled to. Case managers can coordinate systems of care for individuals that encompass healthcare, housing, transportation, social relationships etc.

The primary work of the case manager is therefore to liaise people with the help or services they need. It involves spending time with clients, assessing their needs, and

¹ Di Gursansky, Judy Harvey, and Rosemary Kennedy, *Case Management: Policy, Practice and Professional Business* (New York: Columbia University Press, 2003), 12.

² James Intagliata, "Improving the Quality of Community Care for the Chronically Mentally Disabled: The Role of Case Management," *Schizophrenia Bulletin* 8, no. 4 (1982): 655, doi:10.1093/schbul/8.4.655.

providing them with the type of support, or services that they may need. However, this strictly functional approach to the job has been challenged by workers and clients alike. Gursansky et al. note that “despite the established importance of individualized and comprehensive assessment procedures, for many case managers the process is streamlined, somewhat mechanistic and antithetical to the notion of individualized service.”³ As a response to this overreliance on procedures, Norma Raif and Barbara Shore describe how a conception of the job with a more human approach has been favoured by a majority of case managers:

Forming a relationship between the case manager and the patient; the use of the case manager as model of healthy behaviour and as a potential object for identification; and active intervention in the patient’s daily life to structure a mutually tolerant environment.⁴

This second description highlights the more ambiguous role that case managers are asked to play. While they still have to follow prescriptive methods of assessing and connecting clients to services or medical help, they are asked to be role-models, occasional companion, or ‘virtual friend’. This intangible aspect of the work has a prominent role in the service that case managers offer. In *Fail to Appear*, Isolde attempts to help Eric during his transition from court to home by simply *being there* with him. However, while this human element makes for a more complete approach to addressing human problems, it also complicates the job of these workers, as the film also illustrates with Isolde’s struggles to connect with Eric.

³ Gursansky, Harvey, and Kennedy, eds., *Case Management: Policy, Practice and Professional*, 67.

⁴ Norma R. Raiff and Barbara K. Shore, *Advanced Case Management: New Strategies for the Nineties* (London: Sage, 1993), 86.

Mental Health Court

My research on case managers also led me to look into the Toronto Mental Health Court, “a criminal law court created to help deal with accused persons who have mental health and other related issues.”⁵ Like the emergence of case management, the origin of mental courts also originates from a shortcoming in traditional institutional systems. Fraser et al. explain that incarceration may have a negative effect on adjustment and mental health functioning in justice-involved populations. For instance, several factors have been identified as possible contributors to mental health dysfunction in prisons, including overcrowding, violence, isolation, lack of privacy, lack of meaningful activities, inadequate access to health/mental health services, and worry about the future.⁶ One of the primary aim of mental health court programs has been to avoid—or at least shorten—the incarceration of people with serious mental health issues, and instead, to link such individuals to treatment services.

My interest in the mental health court stems from the complexity it adds to the disciplining status of regular legal courts. In their effort to be more understanding of the accused’s condition, the authoritative and antagonistic quality that lawyers, prosecutors and judges usually display are softened. Since a large part of the legal work and argument in these cases is performed before the court hearings, mental health hearings are non-adversarial and rarely include the theatre of explosive back and forth between prosecutors

⁵ "Mental Health Court | LawFacts," Not Criminally Responsible Assessments | LawFacts, accessed August 22, 2018, <http://lawfacts.ca/mental-health/court>.

⁶ A. Fraser, A. Gatherer, and P. Hayton, "Mental Health in Prisons: Great Difficulties but Are There Opportunities?" *Public Health* 123, no. 6 (2009): 412, doi:10.1016/j.puhe.2009.04.005.

and lawyers.⁷ These courts operate on a less combative register, quiet level and allow for a heightened observation of the actual inner workings of legal procedures.

Mental Illness and Isolation

Another core topic addressed in *Fail to Appear* is the problem of isolation amongst population with mental illness. The stigma that still persists about mental health keeps many individuals from seeking the help they need, and instead, to avoid taking part in social activities or social situations altogether. In their article, “The self-stigma of mental illness: implications for self-esteem and self-efficacy”, Corrigan et al. detail the difference between two types of stigmas: “*public stigma*, where the general population endorses prejudice and manifests discrimination against people with mental illness, and *self-stigma*, people with mental illness who internalize stigma experience, diminished self-esteem and self-efficacy.”⁸ Although public stigma has an effect on people suffering from mental illness, “the effects of self-stigma on self-esteem, psychological well-being, and self-efficacy also impact behavioural goals. Research has shown that self-stigma may undermine adherence to empirically validated services.”⁹ An internalized experience of stigma often leads to isolation and the refusal to get help.

⁷ Nancy Wolff, Nicole Fabrikant, and Steven Belenko, "Mental Health Courts and Their Selection Processes: Modeling Variation for Consistency.," *Law and Human Behavior* 35, no. 5 (2011): 2, doi:10.1007/s10979-010-9250-4.

⁸ Patrick W. Corrigan, Amy C. Watson, and Leah Barr, "Self-Stigma in Mental Illness: Implications for Self-esteem and Self-efficacy," *Journal of Social and Clinical Psychology*, October 2006, 875, doi:10.1037/t13930-000.

⁹ Ibid., 876.

The causes of such isolation can also come from contradictory ideas about the self. In some less severe cases of mental health like the one depicted in *Fail to Appear*, the individual may feel like he is high-functioning and simply resist the hand that is given to him. While Eric may feel a certain self-stigma that prevents him from seeking help, he may simultaneously feel like he does not have a problem. In these situations, when these people are not properly encouraged to join the community, the isolation has a cumulative effect and can create a vicious circle of more isolation, leading to more symptoms.

My Relationship to the Topic

My attitude towards the current social and legal system in Canada changed a lot while preparing *Fail to Appear*. For instance, although I still value the introduction of mental health courts throughout the country, I also observed that these court proceedings were often performed as pure formalities, without any meaning. During my field research, I often found that people that returned to court for their bi-weekly appearances did not seem to be on a path to recovery or wellness. While these courts offer many benefits, it often seems like their function is not to solve these people's problems, but to demonstrate that the system has done everything it can to help.

I have also discovered a lot of information on the topic of mental health while preparing this film, most notably the importance of social involvement. Kawashi and Berkman state that "integration in the broader social structure (e.g., participation in community organizations, involvement in social networks, and immersion in intimate relationships) enhances the likelihood of accessing various forms of support, which in

turn protects against distress.”¹⁰ While my previous understanding of mental health was more centred on proper medical treatment and physical health, the importance on the role of socialization changed my perspective and informed the writing of *Fail to Appear*.

My research also led me to discover the importance of *routine* for people with mental health. Many people who have become affected by mental illness, experience major life-changes. The necessity to take care of their health sometimes forces them to give up their professional, social and even family life, and to live an existence governed by a strict routine. This informed the backstory of Eric’s character in *Fail to Appear*. After Eric was forced to follow his mother to a new house, the change of environment and routine may have contributed to his instability and the theft episode. Furthermore, Eric does not experience the positive sides usually related to moving, such as starting a new stage in one’s life. The fact that he followed his mother to a new apartment presumably triggered feelings of emptiness and self-stigma that could have also led to his petty crimes and missed court appearances.

References

To further explore these topics I have also watched films that deal with similar subject matters. Frederick Wiseman’s *Welfare* (1975) helped me get immersed in the everyday of social and legal institutions, especially as it relates to marginalized populations.

Wiseman’s film is a portrait of the US welfare system, and it focuses on workers and

¹⁰ Ishiro Kawachi and Lisa F. Berkman, "Social Ties and Mental Health," *Journal of Urban Health: Bulletin of the New York Academy of Medicine* 78, no. 3 (2001): 459, doi:10.1093/jurban/78.3.458.

clients struggling to interpret the rules and laws that govern their lives. *Welfare* was particularly relevant *Fail to Appear* because it illustrates the difficulty of working within the system for people in need and workers.. The film portrays an administrative system and a bureaucracy that seems to be pitted against the individuals it is supposed to serve, the vulnerable people that are the least equipped to deal with bureaucracy. Yet, the workers in *Welfare* also struggle, and they often do their best to help and put a human face on these procedures. This aspect influenced my depiction of the relations at MOSAIC, the support service agency, as well as in the Mental Health court. The complexities that these situations present are interesting to me from a narrative standpoint: it is hard to find a ‘villain’, or a ‘culprit’ but rather a flawed system.

John Kastner’s *NCR: Not Criminally Responsible* (2013) is a documentary film that deals with a subject very close to *Fail to Appear*. *NCR* explores the effects of the mental disorder defense in Canada by following Sean Clifton, a man who stabbed and badly injured a woman in a shopping mall while he was in a delusional state. Although the emotional point of the film revolves around Clifton’s meeting with the parents of his victim, what I found interesting was the relationship between Clifton’s roommate Will Bilow, a former convict also suffering from mental illness, and his parents. In a brief segment, Kastner follows Bilow back to his childhood home and captures the relationship with his parents, a friendly elderly couple who have obviously had a difficult life caused by their son’s criminal behaviours. These scenes gave me a window into the possible relationships between parents and a child like Eric, and to what extent parents can actually cope with such situations.

I have also drawn inspiration from the texts of different writers and thinkers, such as Susan Sontag's *Illness as Metaphor* (1978). In her essay, Sontag challenges the secrecy and stigma around certain diseases, along with the victim-blaming in the language often used to describe diseases and those who suffer from them. Although her text refers to Tuberculosis and cancer (and in an updated version, AIDS), I found in her writing enlightening thoughts that apply to mental illnesses. I was particularly struck by her connections between secrecy, stigma and fear:

Although the way in which disease mystifies us is grounded in new expectations, the disease itself (once TB, now cancer) arouses thoroughly old-fashioned kinds of dread. Any disease that is treated as a mystery and acutely enough feared will be felt to be morally, if not literally, contagious.¹¹

She adds,

[...] contact with someone afflicted with a disease regarded as a mysterious malevolency inevitably feels like a trespass; worse, like the violation of a taboo.¹²

During my research, I often observed the deep-seated fear of mental illness among people in the mainstream. This made the existence of support service agencies (like MOSAIC, where Isolde works) crucial. I see these places as a refuge for people who have experienced such an exclusion from relatives or friends.

Michel Foucault's *Madness and Civilization* (1961) also informed my research. I believe *Fail to Appear* resonates with Foucault's central idea that all institutions, be they

¹¹ Susan Sontag, *Illness as Metaphor* (New York: Farrar, Straus and Giroux, 1978), 6.

¹² Ibid.

the justice system, psychiatry or even education, exercise power over human beings. In Foucault's view, the authority to define and label groups, classifying and thus separating the "deviants" from the normal, ultimately confers the power to control such groups upon those in authority. Any group outside of the mainstream can be subject to societal authority, whether it is through the edicts of law, medicine, or academia, or through the power of knowledge and the labeling process.¹³ I believe this understanding of institutions, even if unconscious, is also a reason for Eric's reluctance to accept the help that Isolde offers him, and certainly for his unwillingness to appear in court.

¹³ Michel Foucault, *Madness and Civilization* (New York: Pantheon Books, 1961), 4–7.

Formal Considerations

Approach

I chose to approach *Fail to Appear* as a *documented fiction*. Through re-enacting moments I have observed in my research, building scenes guided by existing protocols, or using a verbatim (word-for-word) recreation of certain legal procedures, I wanted to create a simple narrative from the controlled thread of a “case”. I was curious to portray these two characters and discover how a narrative could emerge out of this process. What interests me in this approach is not so much to produce an imitation of reality but an *impression* of everydayness in the way the story is depicted.

An example of this method is the treatment of the court scene. In traditional fiction films, court scenes are usually characterized by tension, open conflict and rhetorical flourishes. As Greenfield et al. explain, these dramatic aspects are inherent to court proceedings: “Aristotle noted the importance of forensic oratory as a special device in legal rhetoric; playwrights have always appreciated the dramatic value of the trial scene.”¹⁴ For Eric’s bail hearing, although I was interested in keeping some of the tension that exists in such a proceeding, I also tried to infuse the sense of routine and banality that would normally characterize it. I worked with the performers to re-enact portions of bail hearings I had observed in the Toronto Mental Health court, and kept a large portion of the dialogue verbatim.

¹⁴ Steve Greenfield, Guy Osborn, and Peter Robson, *Film and the Law: The Cinema of Justice* (Oxford: Hart, 2010), 35.

I also chose to work with various doc-fiction approaches, such as scripted and unscripted dialogues, actors and non-actors, staged and real locations. The narrative structure of the film itself embodies this ongoing movement between documentary and fiction. The beginning of the film—which depicts the work of the case manager Isolde, and presents Eric through a series of administrative forms—shares many similarities to observational and documentary films about institutions (i.e. *Welfare*). In the second half, the film moves from public and institutional spaces to Eric’s home. This movement to his intimate life reveals a more fictional side to the film as such scenes of intimacy—including one in his bedroom as he struggles to fall asleep—are completely fictional. Throughout the film, I was interested in moving between two opposite poles: an impulse to re-create a feeling of reality and an aesthetic desire to present these moments as what they are: *fictions*.

This approach extended to the conception of characters, particularly that of Eric, performed by Nathan Roder. In the film, certain details and character traits of Eric are shared by Nathan: his clothes, social demeanor, interests in meditation and music; yet others are fabricated like his history of crime or his relationship with his mother. By merging fiction and documentary, I tried to create a space that was neither fiction or non-fiction, but rather, a poetic space specific to cinema where the person on the screen can be at once the actor and the character. I find there to be something evocative when a performance challenges the norms of what either documentary subjects or fiction characters should be. There is something playful about the wavering between reality and fiction, and the uncertainty it produces in the viewer. For instance, when Eric plays his

various musical instruments, one could simply label these scenes as ‘documentary elements’ within a fiction film; but because these moments contribute to the fabric of a fictional character, *some* of the ‘real’ Nathan actually escapes this representation. He is simply present as an offering, he gives a part of *himself* to this role, but maintains a certain mystery, which I find poetic. In his writing about Pedro Costa’s film *Colossal Youth* (2006), Jacques Rancière describes the actor/character Ventura:

He is no longer either a documentary subject followed about in his everyday activity nor a fictional character, but a pure form born out of the very annulment of that contrast which splinters humanity into different species.¹⁵

I find that the evocative quality of these hybrid forms—where performances sometimes escape the constructs of reality and fiction—is revealed through certain qualities inherent to non-actors. Non-actors can present a certain resistance to the lens, an opaqueness that makes their true feelings and intentions somewhat detached from the fiction they are involved in. This resistance gives the non-actor a certain dignity. In Ousman Sembene’s 1962 film *Black Girl*, Diona, played by M’Bissine Diop, works as a maid for an exploitative bourgeois couple in a French coastal town. Throughout the film Diona follows orders while remaining silent, her feelings and thoughts only communicated by a voice over, not even in her own language but in the French of her colonizer. Diona’s misery in the face of her abuse is made clear by her reactions. At times, she shows intense sadness, or tears of anger. Yet, there is something about her that I cannot grasp. I sense a certain detachment that I am not used to from traditional actors. And while it can distance me from the emotion of the character, it also moves me. It’s the sense that even when performing

¹⁵ Jacques Rancière and John Howe, *The Intervals of Cinema* (London: Verso, 2014), 122.

for the camera, emoting in plain sight, the non-actor preserves a life inaccessible to my gaze.



Image 1. Screenshot, *Black Girl*, dir: Ousman Sembene

Formal influences

Fail to Appear is also influenced by the documentaries of Raymond Depardon, particularly *Muriel Leferle* (1998). In this film, Depardon captures three one-on-one interrogations of a young woman suspected of drug addiction and theft; first with the court mandated psychologist, then the assistant to the prosecutor, and finally her duty counsel. Unlike Wiseman's handheld camera, Depardon's distanced static shots, with their deadpan quality and the virtual absence of editing, reveal the slow emotional power that can emerge from simply observing people talking. This approach also allows viewers to feel more agency when observing and experiencing the different subjects presented on screen. This use of long static takes influenced many scenes in *Fail to Appear*, such as the "coffee shop" scene. In this scene shot in a combination of a static full shot and medium shots, Eric describes his version of his arrest to Isolde. As he tells his story, the

camera allows for an observation of his presence and behaviour, while at the same time creating a more imaginary space of the story he is telling.



Image 2. Screenshot, *Muriel Leferle* (1998), dir: Raymond Depardon

I was also influenced by the structuralist approaches of filmmakers like James Benning (*11 x 14*, 1976) or Michael Snow (*Back and Forth*, 1969), as well as the more narrative films influenced by the structuralist movement such as Chantal Akerman's *Je, Tu, Il, Elle* (1974). In these films, it is the structure that creates its meaning, pushing the spectator to not just view a scene or section as a means to an end or a unit of plot, but rather as presence in itself. I was particularly influenced by Michael Snow's notion that "prophecy and memory are the two components that only film and music can offer."¹⁶ As the first half of the film refers to Eric through text, descriptions, or professional's interpretation, a vision of this character slowly appears in the viewer's mind. In the second half of the film

¹⁶ Michael Snow, *The Collected Writings of Michael Snow* (Waterloo: Wilfrid Laurier University Press, 1994), 280.

however, this “reading” enters into a dialogue with the living and breathing presence of Eric. This section of the film also sees Isolde becoming almost a memory, or perhaps slowly disappearing from our consciousness. She reappears however, as a text, an email Eric receives the following day. Here again I was curious to confront this memory of Isolde (her appearance, her characteristics, concerned but guarded) with the tone of the message she sends Eric; I was curious to create a slight gap between these two manifestations of her character, and allow the viewer to consider its meaning. Prophecy and memory are manifested through these two modes of narrative discourse, *direct* (presence) and *indirect* (text). I find this inter-reflexive quality poetic because it points to the power of (mis)representation that exists in both *presence* (how we behave) and *writing* (legal text, personal message etc.)

My Background

Eastside Films

My filmmaking practice is informed by an interest in the relationship between individuals and institutions. This attraction to *structures of order* has led me to research systems such as educational, social, or legal institutions, and observe how their mechanisms reveal—and are revealed by—the individual. Just as visual artists like On Kawara and Sol Lewitt were able to expose something human in the display of information, I believe using cinema to show normalized interactions and exchanges can likewise expose character and the institution, as well as encouraging reflection on the cinematic medium itself.

My BFA thesis project *Hello Goodbye* (2008), depicted the first and last day of a foreign student in a North-American university with little changes between the two. The film shares many similarities with my later films, mainly an interest in the everyday and the silent power institutions have over relationships and individuals. With this project, I tried not only to capture this student's sense of alienation from his environment but also the fleeting quality of time when no real experiences are amassed. Following this first short film I continued my interest in these dynamics while using filmmaking as a way to actually make experiences myself. I wanted to engage with people and environments that I would have otherwise remain completely foreign to.

My following film *Woman Waiting* (2010), depicts a few moments in the daily life of a woman going through the housing placement system in Vancouver. The story behind this

film came from a conversation I had with a woman resident of the Vancouver Downtown Eastside. After losing her home, she was apprehensive about going to a temporary shelter and found herself on the streets. For seven months, she slept in her car and spent her days in a fitness club, using the remaining time of her membership until the very last day.

Woman Waiting was the first of three films I made in the Eastside, each depicting people engaged directly or indirectly in a program or system.

East Hastings Pharmacy (2012) depicts a small pharmacy typical of the Vancouver Downtown Eastside where clients come to take daily doses of methadone to fight their heroin addiction.



Image 3. Still from *East Hastings Pharmacy*

My initial interest in this subject was the ritual of methadone intake, which I saw as a peculiar act of resistance, one that takes place in the everyday and can last years, if not

decades. While researching for the film, I became aware of a complicated power dynamic at play in these pharmacies. Both the client and the pharmacist have completely defined roles which dictate where they are positioned on either side of the protective Plexiglas, how they conduct themselves, and what they say. I was interested in this program and the spatial disposition of these pharmacies. Together, they created a site where humanity was more visible, as if pushing against these restrictions: the body language of asking, complying or refusing...

My third film set in this neighborhood is titled *William in White Shirt* (2015). It focuses on a young man who struggles with his new obligations towards his baby son. *William* attempts to capture the combination of dynamism and detachment that I had observed while spending time with residents of the Eastside while making my previous films—an ambiguous sentiment that I perhaps felt myself.

Continuation, Variations

In many ways, *Fail to Appear* is a continuation of these previous themes and interests. It expends on my exploration of these environments and systems in a non-dramatic approach, focusing on banal, minor stories in people's lives. Because I choose to show environments that I (and a majority of viewers) generally don't know very well or have not experienced, it has always made logical sense to me to depict them in their everyday authenticity. I also find that it can produce new ways of seeing the world; observing the banal can sometimes reveal its strangeness, or even beauty.

I have also tried to avoid focusing on the spectacular or extraordinary for more ethical reasons, as I am aware that this distance between myself and my subjects can lead to a certain voyeurism, and contribute to the stigmatization of people that are marginalized. In preparing *Fail to Appear*, I was particularly aware of the tendency for most mainstream representations of mental illness to focus on the strange, the spectacular. As Simon Cross explains:

The banality of real mental illness comes in conflict with our need to have the mad identifiable, different from ourselves. Our shock is always that they are really just like us. This moment, when we say, ‘they are just like us’, is most upsetting. Then we no longer know where lies the line that divides our normal, reliable world, a world that minimizes our fears, from that world in which lurks the fearful, the terrifying, the aggressive. We want – no, we need – the ‘mad’ to be different, so we create out of the stuff of their reality the myths that make them different.¹⁷

In all my films, I do not seek to erase the differences that exists between people, but I try to avoid producing a sense of shock or otherness through depicting everyday situations. I believe other formal approaches such as *duration* or a *slight theatricality* can create an experience where the subject maintains dignity and become relatable *through* their differences and specificities.

I believe by frequent collaboration with non-actors throughout these films also demonstrates a desire for a certain cinematic “authenticity”. Along with their real appearances and clothes, the depiction of some of these characters can suggest a sense of *lived experience*. This interest goes beyond an idea of typecasting, this notion that one

¹⁷ Simon Cross, *Mediating Madness: Mental Distress and Cultural Representation* (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2010), 131.
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cannot ‘*play*’ a part, one must possess a sum of real qualities, externally, in order to produce a given effect on the spectator.

It also allows performers to speak for the character and for themselves. I believe this is particularly true in re-enactments in *East Hastings Pharmacy*, or the verbatim approaches in the court scene in *Fail to Appear*. As Jansen writes, “such approaches can work beyond creating authenticity when the participation of performers is directly concerned with the subject matter, having their own strongly held convictions and personal connections to the roles they play.”¹⁸ This juxtaposition between actor’s conviction and the text can become an event in and of itself.

In *Fail to Appear*, an important point of departure from my previous work however is the focus on a character who is marginalized while not coming from a low-income or poor background. Eric’s decisions and self-stigma could eventually lead him down a path of further separation and poverty, yet he lives a middle class life. This choice stems in part from a desire to portray struggles with mental illness as something “closer to me”, as a problem that touches everyone. Most importantly, I wanted to give a sense that what Eric goes through is not necessarily related to lack of resources but something deeper, a personal malaise that may or may not come directly from his struggle with mental health, something that can not be “explained” by a lack of resources.

¹⁸ Sylvie Jansen, *Reenactment as Event in Contemporary Cinema* (Ottawa: Library and Archives Canada = Bibliothèque Et Archives Canada, 2013), 135.

Another slight departure from my previous work is a more heightened fictional element in *Fail to Appear*. My film *East Hastings Pharmacy*, despite being set in a staged pharmacy with a mix of actors and non-actors, led many spectators to view the film as a straight documentary. I decided to adjust this approach by contrasting the naturalistic performances of *Fail to Appear* with a subtle element of theatricality in the stylistic aspect of the film. For instance, the blocking and sequencing of shots in court or at Eric's house have more planned camera placements and coverage. Similarly, the scene between Isolde and Eric in the coffee shop is heavily scripted, and produces a more fictional tone while retaining the 'documentary' quality of Nathan's presence and body language. I find this type of aesthetic ambiguity stimulating because it echoes the different levels of artificiality within the worlds depicted in the film.

Process of Creation

Field Research & Writing

My field research for *Fail to Appear* led me to meet with case workers, social workers, justice and support workers to understand the everyday of these professions, their difficulties and rewards. I often met with case managers at their workplaces, either support service agencies or hospitals, as I also wanted to observe their places of work. During the discussions, I would take note of both the information these workers provided and what was happening around us. For instance, during an interview at St Michael's hospital, I witnessed the case worker handing juice boxes and bus tokens to some of her clients who just happened to come by to say hello. She would also leave her door open to make her clients feel comfortable walking in, and never failed to introduce them to me. As a seasoned worker, she was able to create a feeling of genuine friendliness over the dynamics of her relationships with her clients.

Creating these relationships between case managers and clients was also informed by what I could not observe. Because I had very little access to actual one-on-one meetings due to privacy concerns, my research mostly involved speaking to clients and case managers separately. This constraint influenced the writing of the film as I began to conceive of these two characters in parallel, independent of one another. What was first a restriction became particularly interesting as it started to reflect some of the experiences of "failed connections" I had heard from some case workers and clients. I was curious to portray two characters whose narratives would have very little effect on the other, one would not necessarily change the life of the other.

Through the writing process, it became Isolde and Eric's personalities, specifically their relationship to reality, that kept them apart. Eric has a complicated relationship with reality demonstrated in his re-telling of his crime, but also in his lifestyle and presumably his experience with mental illness. As a result, he seems to reject any type of help and instead turns to a behaviour of avoidance. Isolde's relationship to reality is also complicated and perhaps also leads to a kind of avoidance. Her decision to become a case manager comes from a romantic inkling: she originally studied literature and cites her connection and empathy for fictional characters as the reason that led her to this field. While it is a very bold move, the transition proves difficult as the "characters" of her novels become real people. In some ways, Isolde avoids demonstrating the kind of humanity that is needed for her work, and instead, hides behind protocol and more primary duties of her work.

While conducting my field research, I also became interested in the administrative part of the work of case managers. During every meeting, I asked to see the forms they usually encountered or created on a day-to-day basis. I got access to court referrals, consent forms, bail letters, etc. Part of this curiosity stems from my interests in how systems work and affect individuals. I was curious to know how accountability is traced from various agencies, how consent is given, and how services or support is provided to clients... But I also wanted to know how much—and often *how little*—these documents actually reveal about an individual. I found that often, the physical aspect of the forms was more revealing than their content. For instance, the surplus of handwritten

information about a client sticking out of every box clashes with the rigidity and language of the form itself. This contrast is not only visually striking; it is also revealing about the inadequacies that can exist between individuals and systems.

Researching these forms also greatly influenced the writing of this film. As I was reading through court referral forms (made anonymous by the workers), I came across the case of a man with symptoms of psychosis who had stolen some basic electronic supplies and refused to appear in court. I got a chance to take photos of this form and eventually wrote the events and situations around the character of Eric based on the information I could glean from this document. I was interested in the process of confronting this pure element of a system to film, and began to write a simple narrative following this case from its origin to the release and ‘rehabilitation’ of Eric. By depicting this movement almost as a mechanism, I was curious to discover how a narrative could emerge out of this process. I also shared this referral form with my production designer to replicate its information and handwriting, while of course changing all personal information to Eric’s.

My meeting with caseworkers also led to my discovery of Toronto’s Mental Health Court. For a few months I followed a case manager to Toronto’s Old City Hall to attend the bail hearings at the Mental Health Court and eventually made a habit of going to the court myself. I was first struck by the use of Canadian legal jargon, and how it creates an almost absurd layer of theatricality to the system. For instance, the justice of the peace must be referred to as “Your Worship” and the crown and counsel must refer to each other as “my friend”. This decorum is usually contrasted with the accused who often cannot show as much regard for protocols as these

professionals. I also became interested in the procedures of court appearances, perhaps the most ritualistic procedure where one after the other, individuals are called to approach the stand to simply confirm that they have attended their meeting with their case workers.

Another fascinating practice was the “fitness assessment” questionnaire, a procedure aimed at making sure the defendant is “fit to stand trial”. It is customary for the duty counsel to train the defendant before the court hearing by rehearsing with him the answers to the fitness assessment, (e.g. *Do you know what you are charged with? Do you know what my job is?*). Later, this rehearsed exchange is performed by the client and the duty counsel in front of the court. This procedure was particularly interesting for the multiple levels of performance it seemed to capture from both the accused and the counsel. Both seem to go through the motions and everyone, including the judge, knows how these procedures are prepared.

I also spent many months meeting people with lived experience of mental illness. My field research led me to focus on individuals who had experiences close to what I was researching: lived experience and a history of trouble with the law. One of these people was a young man who I will keep anonymous. This man lives in a nice house in the West End of Toronto with his mother, woman in a high position job, a job in the public sector, and her new partner. After minor run-ins with law in his teenage years, this man he was caught selling cocaine in Downtown Toronto and was arrested. He was eventually charged for this crime and spent seven months in the Don Jail, where he was held in the mental health section of the prison. After his release, he spent some time at a psychiatric

hospital in Whitby and finally returned home. However, his mother kicked him out shortly after. Here are some notes I made of our conversation:

Hospital (2014, for 3 months)

[...]

- His mom says it is fine for him to leave the hospital. He returns to live with her but something must have happened because she puts him in a group housing shortly after. She won't have him around.

Group housing (2014, for 6 weeks)

- In the group home, he meets very poor people living only on OW (Ontario Works). This aid totaled \$670/months; since the housing was \$580/month, they basically had nothing left after rent. Thankfully for him, he was on ODSP, which is \$1,080 a month. Minus the \$580 rent, he still had some money to buy decent food.

- Food at the group home really scarred him; he could not imagine eating there everyday like the others.

- He imitates the Jamaican lady yelling the breakfast menu, the same every morning: "hard boiled eggs".

- Sometimes, his mom would allow him home for a nice meal.

Home again (2015 - now)

- Mom eventually accepted him back.

- He still lives there but has to do all the chores: he vacuums the house, cleans the floor, does his mom's and stepfather's laundry. "I want to keep her happy, I am trying to pay her back."¹⁹

Hearing this story made me more aware of the difficult relationships that can exist in families with mental illness. The fact that his mother refused to have her son home after stays in jail and the hospital allowed me to conceive of Eric's mother for my film. While she does not keep him from returning home, Eric's mother refuses to attend his court hearing and does not welcome him when he arrives. While such behaviour can seem

¹⁹ Field research notes, Antoine Bourges, January 2016

distant or cruel, it also points to an off-screen reality: the difficulty and weight of having taken care of Eric for years.

Casting People

Casting *Fail to Appear* took approximately nine months. As I did in my previous projects, I chose to cast actors and non-actors who are connected to the environment I depict in my film, so I would often combine interview research and casting. I started meeting people through Workman Arts, a Toronto organization that brings together artists with a history of mental health. The organization's staff agreed to send an informal casting call for my film through their internal email and soon, people from the community started contacting me. I would meet interested participants at a Tim Horton's and as I conducted the casting by having a conversation with them and getting a sense of their character.

During these meetings, I was transparent about my project. Mental illness is often a subject misrepresented in film and I felt that I could learn from their response to shape my film. I often asked how they felt about a non-actor with lived experience portraying someone with mental illness on-screen, as opposed to an actor. I was wary about the film delving into a form of voyeurism, or worse, of exploiting someone's condition and "outing them as mentally ill" to the world. I found that their reactions were very different from the ones I had received from case workers specialized in mental health. While community workers sometimes warned me about the risks of both modes of representation (actors and non-actors), people with lived experience found both options

exciting and were generally happy about the idea of making their issues and experiences more visible.

For the role of Eric, I eventually decided to choose Nathan Roder, a Workman Arts member and musician with experience in improvisational theatre and a history of mental illness which he often talks about as a public speaker in Toronto. Nathan worked at a hot dog stand when I met him. After I decided on him, I visited him at his hotdog stand in front of Mount Sinai Hospital and spent time getting more acquainted. I discovered that his father was an important neurobiologist at the hospital and he connected his son to the owner of the stand. Upon first meeting Nathan I felt that he could convey the ambivalence that I imagined Eric experienced: a resistance to authority mixed with a detachment, almost an abandon. Nathan also had an affable quality that I believed would come through the film.

I spent a long time trying to cast for the role of the case manager. I first auditioned people from minority ethnicities and often invited Nathan to sit in the audition and improvise with them. Although I wanted to depict Toronto as the multicultural city that it is, I struggled to enough candidates to audition and after a few weeks, I opened my casting to all ethnicities. It took another long period to find the right actor but I eventually decided on Deragh Campbell who I had seen in Sofia Bohdanowicz's film *Never Eat Alone* (2015). Her approach to acting in this film was exactly what I had been looking for. Deragh's acting combines qualities of professional and non-professional actors that is quite rare. Like trained actors, she is able to respond to directions, recreate or modulate certain emotions or reactions take after take. On the other hand, she also has a presence

that I usually find in non-actors, one that gives the sense that she is existing as the scene unfolds, that she is truly living and breathing in the moment, and not projecting pre-conceived emotions or movements. I felt that this combination of qualities would fit well with the rest of the cast that was primarily made-up of non-professional actors.

I found many of the secondary actors by asking people I had interviewed to take part in the film. Most of the case workers in the first section of *Fail to Appear* are actual case managers or social workers. I also asked Adam Nayman, a friend and film critic, to play Eric's duty counsel. Like most of the casting, I chose Adam for the qualities I had observed in real life, in his case an ability to speak in public and a soft-spoken quality.

Places

The film consisted of only a few locations: a support service agency, a courthouse, the subway, and a suburban house. Finding the appropriate locations proved difficult however, and took approximately three months. My collaborators and myself tried to shoot the whole film in real locations to limit work in production design, and also to achieve a sense of detail and reality. We scouted many agencies, courthouses, and houses. Although the people that managed the support agencies were encouraging about the project, none of them accepted to let us use their space. Thankfully, our DOP Nikolay Michaylov had heard of an abandoned police station that we could use for free with a permit from the City of Toronto.

For the courthouse, we tried to use a real courtroom by contacting various liaison officers in the GTA for many months. Similar to some of the systems depicted in the film, we were pushed from one service to the next without any result, until we discovered that College Park Courts, Downtown Toronto, could issue permits for free. At College Park, the courtrooms are actually under the administration of the group of judges that practice there. While these judges usually ask commercial films for high rental fees to use the courtrooms, they were willing to let us use them for the cost of the security guards as long as we made clear that our project was for solely for cultural purposes.

Visual Treatment

Our DOP Nikolay Michaylov and myself spent time preparing the visual treatment of the film. I shared the script with him to allow him to contribute his own ideas and discuss each scene to arrive at an understanding of the various situations. I also shared a lot of reference material: films, photographs and paintings in order to create a visual aesthetic for the film and for us to both be on the same page.

For tone and colours, I was influenced by the matted palette of Robert Bresson's colour films, particularly *The Devil Probably* (1977) and *L'Argent* (1983). Nikolay worked to create a certain flatness in the image to resonate with the apparent simplicity and straightforwardness of the film's procedural narrative. Through this approach, I wanted each scene to evoke a series of vignettes following each other with a certain inevitability.

While Bresson was an important influence, I did not want to replicate the mechanized and sometimes suffocating feeling that can emanate of his images. Bresson created extremely moving films by employing a very rigid visual system of framing and performances. Although I greatly admire this work, I wanted the shots in *Fail to Appear* to have an evocative feeling, to *breath*. Therefore, we looked at a lot of Edward Hopper paintings and got inspiration especially from his lighting and framing. Hopper conveys the alienation of urban life in a poetic way through the distance he establishes between the painting and subject. Through this framing, the environment around the subjects becomes expressive, sometimes echoing—or contrasting—the feelings of his subjects.

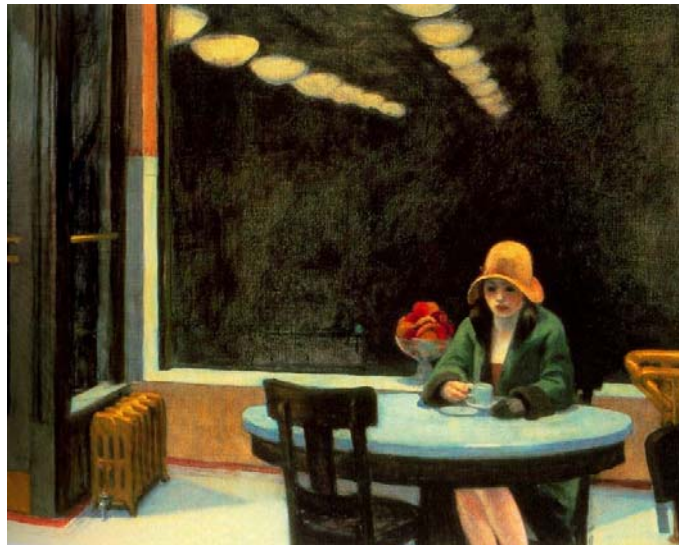


Image 4. Painting, *Automat*, Edward Hopper



Image 5. Still from *Fail to Appear*

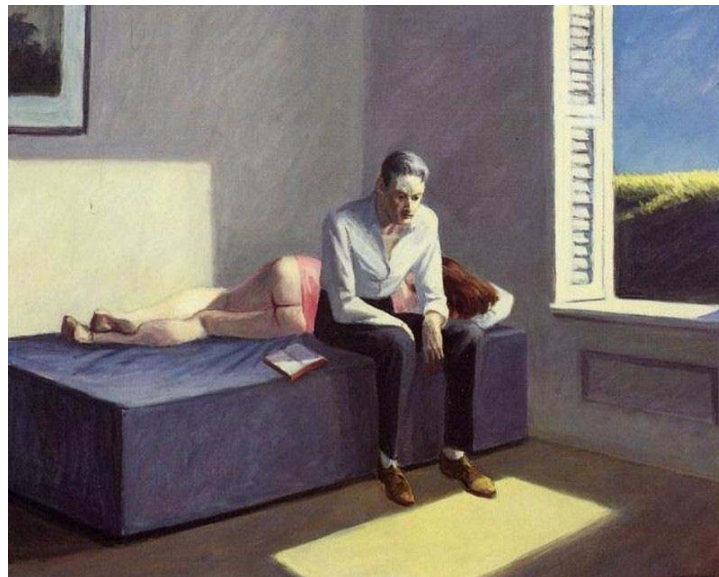


Image 6. *Excursion into philosophy*, Edward Hopper



Image 7. Still from *Fail to Appear*

The Romanian film *Police, Adjective* (2009) was also particularly instrumental in establishing an aesthetic for the film, as it also deals with a procedural case (a police investigation), and depicts many administrative and everyday scenes of a small-time police detective. One of the visual references we took from the film was the frontal shot of scrolling text—the main character’s police notes.

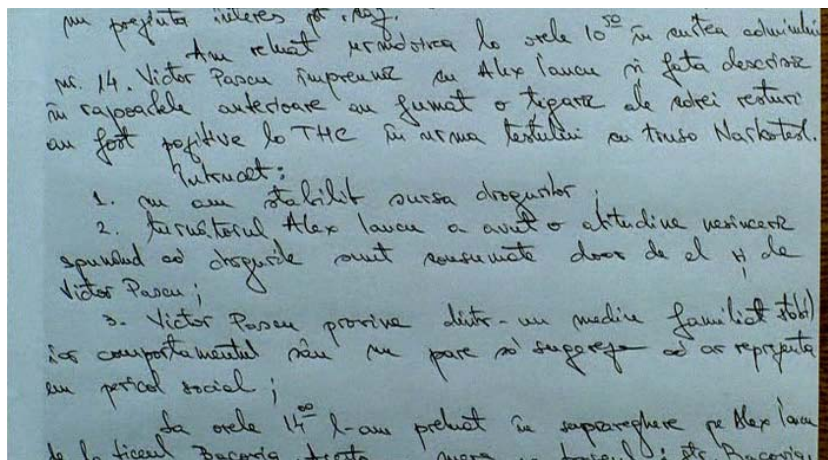


Image 8. Screenshot, *Police, Adjective*, Dir: Corneliu Porumboiu

| Client Information | | | |
|--|--|---|-------------------------|
| First Name: <i>Eric</i> | | Last Name: <i>Edwards</i> | |
| Age: <i>33</i> | Date of Birth (D/M/Y): <i>29/12/1982</i> | Gender: <i>m</i> | |
| Languages Spoken: <i>English</i> | | Income Source: <i>disability (to confirm)</i> | |
| Contact Information | Street Address: <i>224 Baycrest Avenue</i> | | Apt.#: <i>Ø</i> |
| | City: <i>Toronto</i> | | Postal Code: |
| | Telephone: <i>416 905-8553</i> | | Other Means of Contact: |
| Mental Health Issues/Diagnosis: | | | |
| <i>History of psychosis. Eric presents as extremely anxious. Eric also presents as lacking good judgment about his present situation.</i> | | | |
| Medical Problems of Concern: <i>He has been reluctant to cooperate with Counsel about taking steps towards release.</i> | | | |
| Current/Past Criminal Charges: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, please list: <i>Fail to attend court, Theft Under</i> | | | |
| <i>act order { Theft & (2009), Mischief & (2008), Trespassing (2002)</i> | | | |

Image 9. Still from *Fail to Appear*

I also collaborated closely with our production designer Alicia Harris to establish a visual look. Alicia's most difficult task was to turn an abandoned police station into MOSAIC, a fictional support service agency. I introduced Alicia to some of the case workers I had met during my research and she visited their offices to take some photos. Based on the disposition of the space we had to use, Alicia and I chose a basement room because it resembled an agency's "common area", where members come to socialize and do workshops.

Along with her photos of actual agencies, Alicia and I used references from films featuring similar spaces, namely Frederick Wiseman's *Belfast, Maine* (1999) and *Adjustment and Work* (1986). We also spent time producing replicas of various case management documents and legal forms.



Image 10. Still from *Belfast, Maine*, Dir: Frederick Wiseman



Image 11. Still from *Fail to Appear*

I am interested in how such spaces are perceived when depicted in cinema. I find that film can reveal a certain essence of these institutional spaces by simply pointing a camera at them, and allowing the spectator to observe and think about these spaces as *film spaces*, places worthy of attention. I am particularly struck by the sense that everything is functional. The offices are barely decorated or lived in; they feel like places of transit made especially for the staging of interactions. They have a theatrical quality that contrasts with the very *real* conversations that take place in them.

Production

We used a traditional creative process to organize our production days. For instance, a scene like the “conflict resolution workshop” —in which a group of 7-8 people sit around a table to discuss how to deal with unpleasant encounters in their everyday—I began the day by talking to the production designer. Alicia and I would discuss the art direction and necessary props for the scene, in this case, the notepads and pens for the workshop, along with candies and fruits that I had observed in actual workshops. I would then share a floor plan and shot list with our DOP Nikolay. After considering his suggestions and feedbacks, I would meet with the actors and discuss their wardrobe; like most other performers in the film, they came with different choices of their own clothes.

When the production designer and DOP were finished preparing, we brought the performers to the set and asked them to sit around the table without giving them directions. Knowing what our camera angle would be and which performers I wanted

facing camera, we made a few changes and asked some of them to switch places.

Because they often know more about the environments I am depicting than I do myself, my work with non-actors usually involves both giving and asking for directions.

Discovery and creation come hand in hand: I try to understand how a particular situation usually takes place, while attempting to connect these elements to a storyline or to build tension.

In this workshop scene, our performers Shawn and Michelle played roles they actually perform in real life, respectively a case manager and a peer worker. Prior to the scene, I had asked them to prepare a typical “conflict resolution workshop” with some practical exercises in which the participants could engage. Once on set, and after both the DOP and the production designer tweaked the last details of the scene, I asked Shawn and Michelle to guide a workshop as they would in real life, and incited the other performers to engage and react to them.

We shot without rehearsing, and take after take, I would ask Shawn and Michelle questions about how the workshop could be changed while also giving each performer some adjustments. Usually, I would identify the elements that come in the way of a good scene and remove them. For instance, some performers talked for too long and their participations or stories were not engaging. In this particular scene, I also noticed that two actors had an interesting dynamic and I asked them to remain silent so I could shoot a second part of the scene with them later, in a two-shot.

Usually, filmmakers incorporate the limitations inherent with non-actors in the way they conceive their film. For instance, they work with improvisation and try not to repeat the same take too many times to maintain a fresh quality in the performance. Often, they also use handheld cameras to allow the actors to move freely, instead of constraining them with blocking directions of where they should move, what physical mark they should hit. In this scene, because we worked with static shots, the situation required a slightly different approach. We tried to limit the amount of crew in the scene and to get all the performers to pay attention to what the workshop leaders would suggest next. This forced everyone to remain in the scene and not be too self-conscious.

Working with non-actors throughout the film, we always endeavoured to keep these technical aspects as discreet as possible. However, I usually tried to maintain one element clearly visible: the camera. In scenes like this workshop or during Isolde's one-on-one meeting with her clients, we tried to place the camera in such a way that it was in the field of vision of the performer, and at a somewhat close distance. One reason for this choice was to make visible the contract the performers and myself had entered into. I wanted it to be clear that we were not capturing candid footage of a real situation, but that they were actively participating in the representation.

There is also an aesthetic reason behind this choice. The camera, just by its presence, alters the behaviour. No matter how comfortable a non-professional actor may be, the knowledge of being filmed creates a transformation. I am always curious to witness this transformation and how it varies from one performer to the next; how their bodies

respond to it while walking to a mark, saying a specific line, or staying on the same spot. On some level I simply like what that looks like on camera. It reveals a phenomenon that I find so fascinating, this sense that no matter how scripted, what you are watching is being lived, that it is in the midst of a process of construction, in becoming.

With non-actors, a scene is as much about its narrative as it is about this process, this encounter between the performer and the fiction. The interaction between the non-actors and the scene can never be exhausted. There always remains a surplus, a sort of excess. What I find exciting about working with non-actors is to capture these encounters with all the imperfections they produce, and the new meanings they can create.

Work and Adjustments

The production of the film happened between September 2016 and July 2017. A reason for this gradual process was the unavailability of some non-professional actors, along with changes and re-shoots that were decided after the initial edit of the film. Re-shooting some of the scenes also made me more aware of the type of filming conditions that fit best with my approach. While we operated with a group of about 10-15 crew during the first portion of filming, the reduced 3-4 people crew of the reshoots produced much better results in both performances and efficiency. Because my approach often involves discovering a scene as it is being performed and working off of what the actor produces, a smaller crew helped the performers ease into the scenes and made me feel less pressured to wrap a scene before getting it right.

The most important re-shoot involved the last section of the film which depicts Eric's return home. We had initially filmed this section at our producer's home, a charming and warm St Clair West house in Toronto. The idea behind this choice of location was that this type of tasteful middle-class environment would provide a more complex portrayal of this character. However, this change of mood (which was combined with a change of main character) created too much of an aesthetic clash with the rest of the film. After some discussions with our producers, I found another house in Markham that I felt could connote the same idea of middle-class life while maintaining the sort of institutional feel that would connect the whole film together. I learnt from that experience that I should take photos of my chosen locations before going into production in order to visualize the film better and hopefully make this type of decision prior to filming.

Representing Symptoms

Given the subject matter of the film, I often questioned how to properly represent the experiences of marginalized people. The scene depicting Eric hearing—and responding to—voices was particularly delicate. I was worried about creating a voyeuristic portrayal of mental health, one where the symptoms of mental illness would be used as means to create shock, or conversely, as a mystical phenomenon, a divine occurrence as often depicted in popular culture.

I was also apprehensive about asking Nathan to perform this scene, as he himself has heard voices as a symptom of schizophrenia. I felt that this choice could be perceived as exploitative or simply distasteful to the audience; more importantly, I didn't want the

filming of the scene to trigger new symptoms for Nathan. I chose to explain the scene and voice my apprehension directly to him. I felt that he would voice his disapproval if he had any resistance, and as an active advocate for the mental health community, his insight would be helpful. Nathan actually got excited about the idea of performing the scene. Through our conversations he reminded me that what we were doing was to show mental illness in its everyday—almost boring—aspect. By including this scene as one of many different vignettes of his quotidian life, we were helping demystify common held ideas about mental health.

I also chose to collaborate with Nathan actively in the performance of the scene. People who experience auditory or visual hallucinations actually experience these signs as vividly as if they were real. I felt that I could help Nathan create his performance by interacting with him myself, as a voice addressing him. During the take, I walked into frame in front of Nathan and engaged in a conversation where I prodded him about a fictional situation. By having him engage with me directly, we tried to create an experience where he was actually responding to a visible presence, and to get a defensive reaction from him.

Post-Production

Editing for *Fail to Appear* took many months. I began by editing the film after the first three weeks of filming; then, as we continued to shoot and re-shoot, I continued editing continuously for many months. I eventually collaborated with an editor, Ajla Odobašić, to bring fresh eyes into the project and help with the narrative flow of the film. Ajla

pushed to tighten the film, convinced me to remove unnecessary scenes and had a great eye for performance.

Ajla's most useful input was to convince me to remove a few scenes in the courthouse that gave an overly detailed exposition of Eric's case and situation. Similarly, we had shot re-enactments of different court proceedings, a series of court appearances, that were not essential to the film. These court appearances had a certain logic in the script. They consisted of different people walking up to the centre of the courtroom to confirm their compliance with their ongoing plan, and receive their next appearance notice from the clerks. I was curious to show these rituals and I felt that they would help conveyed what Eric "fails to appear" for. I was reluctant to admit that at this point in the narrative, the film could not allow more observational scenes that did not directly involve Eric's character.

We reached a final cut in the month of August 2017 and proceeded to mixing and colour correcting in early September, to have the film ready for its festival premiere in Late-September.

Distribution and Festivals

Fail to Appear is mainly a festival film: it's a calm and observational narrative that I believe demands a more contemplative mode of viewing than average theatrically released films. Like some of the films that influenced me, this film functions as a series of moments that, although narrative in their chronology, are not means to advance a plot.

Rather, they each work to evoke impressions, thoughts and observations that resonate differently with each viewer.

Our strategy for the film's release began by submitting to festivals. The film had its international premiere at VIFF (2017) and was later presented at Centre Pompidou's Cinéma du Réel, BAFICI (Argentina), Art of the Real at the Lincoln Center, Black Canvas Mexico City, RIDM, and Novos Cinema (Spain) among others.

Online, the arthouse cinema platform MUBI has also released the film in the US and World territories through their online streaming service. UniversCiné and ArteVOD had a 30-day digital release through their VOD platforms in Europe, while the platform VOD LU distributed the film online in the Benelux territories. UnCut, a similar platform for independent and art films also distributed *Fail to Appear* through their platforms in France. Finally, Festival Scope and Cinando have made the film available through their SVOD online platform for film professionals, internationally.

In the past months, my producers and myself have also tried to reach out to Canadian theatres to give the film a small theatrical release domestically. With precious advice from Hugh Gibson who self-distributed his film *The Stairs* (2016), we have reached out to many venues to pitch the film. So far, we have screened the film at the TIFF Bell Lightbox for a week-long run and have confirmed presentations at the Winnipeg Cinematheque, Kingston's Screening Room and Vancouver's Vancity Theatre. We are

waiting for other opportunities to make the film accessible in the next six to nine months in places like Halifax and Montreal.

Conclusion

Fail to Appear is a narrative film about the difficulty to help and receive help. It combines various formal approaches to create a *documented fiction*, a narrative informed by existing systems and protocols meant to assist people in need. Through the observations of these systems and their inadequacy, the film attempts to capture the human elements that remain or get lost.

I believe cinema is a humanist medium. It captures human emotions with all their complexity, their contradictions. When narrative cinema represents institutions and systems, it encounters a *distance*, a gap that reveals the humanity of the subjects even more. Just as filmmakers like Robert Bresson or Carl Dreyer looked to religion as the invisible force that could challenge the all-seeing medium of cinema, I find that systems offer a *revealing distance* through which characters and motivations can surface.

Through their involvement in these systems, Isolde and Eric are moved by two opposing forces: one of detachment (or powerlessness), and one of resistance. Isolde experiences a feeling of powerlessness. She shows it best through her difficulties with Eric, most notably when she leaves him after her attempts to schedule a meeting with him fail. She also feels powerless with herself in a more constant way, a self-doubt that keeps her from letting her guards down and breaching the distance that exists between her and her clients. For Eric, powerlessness is more straightforward, as he has been subjected to the power of the legal system directly. However, this feeling is perhaps more pervasive for him, as his life of isolation seems to indicate.

Yet, I also observe a sense of resistance in these characters. Isolde's actions, her very decision to work in this field, along with her perseverance with Eric are all modes of resistance to different forms of pain. The film also portrays other forms of resistance in a more day-to-day fashion, though the group workshops, the communal activities, and in Eric's music. Eric's resistance is perhaps also present in his petty crimes and his refusal to appear in court. Although these actions may seem misguided and destructive, they can also manifest a certain will to confront authority—and his circumstances in general.

With *Fail to Appear*, I also wished to provide an experience where the audience can pay attention to people and settings that are not always visible in society or popular culture. I wanted to depict the experience of others while trying to avoid any form of voyeurism or stigmatization. For this, I chose to focus on depicting these various settings in their everyday and banal manifestations; I also chose to maintain slight elements of theatricality in my formal approach. These considerations did not just pertain to the film representation itself but also to what methods I used to create these representations, especially with respect to performers who have real experiences with mental illness.

My aim in using these approaches is also to produce a work of aesthetic value with complex dynamics and characters. I don't believe the ethical and aesthetic must be separate; both can feed into each other. In this film, I used a combination of documentary and fictional approaches to create a sense of specificity in the characters; using non-actors allows for a certain mystery to remain in the performance, a distance that points to

a more complex off-screen reality, that *there is more than this...* I believe the ambiguity that is instilled by mixing fact and fiction, can more closely reflect the complexity of a narrative. In *Fail to Appear*, with a character such as Eric who suffers with mental illness, this also prevents viewers from reading his marginality as a fixed identity.

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